IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

CRP.No. 315 of 2007()

OPEA.285/2002 of ADDL.D.C.,ALAPPUZHA.
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REVN. PETITIONER: IST RESPONDENT

POWER GRID CORPORATION OF INDIA LTD.,
LOCAL OFFICE, NANGIARKULANGARA, HARIPAD,
REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENT: PETITIONER

K.G.CHERIYAN, S/O.GEORGE,
SHAJI BHAVAN, BHARANICAVU SOUTH MURI,
KATTANAM VILLAGE.

BY ADV. SRI.A.SHAFEEK

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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C.R.P.No.315 of 2007

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Dated this the 4th day of December, 2007.

ORDER

This revision petition is preferred against the order of the Additional District Judge, Alappuzha in O.P.(E.A.)No.285 of 2002. The Additional District Judge, has awarded an additional compensation of Rs.7,200/- with 6% interest. Learned counsel for the revision petitioner would submit that there is no basis for the calculation and it requires interference.

2. The total area possessed by the revision petitioner is 26 cents. The court finds that the area that is injuriously affected approximately comes to only 12 cents and it fixed the value per cent at Rs.4,000/- and thereafter calculated at 30% and awarded an additional compensation of Rs.7,200/-. Learned counsel for the respondent has pointed out to me Ext.A3 award in L.A.R.No.40 of 1993 and Rs.7,859/- per cent was taken. But the court found that it has not been proved by the petitioner that

Ext.A3 property is similarly situated and it has got all the advantages of Ext.A3 property. Diminution also was taken into consideration properly. I do not find any mistake committed by the court below and therefore, the Civil Revision Petition is dismissed.

M.N.Krishnan,
Judge.

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